



Attorney Docket No. 8436.82USWO

MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COLLECTORLESS FLOTATION

The specification of which

- a. ☐ is attached hereto
b. ☒ was filed on March 13, 2001 as application serial no. and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. PCT/AU99/00772 filed September 14, 1999 and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☐ no such applications have been filed.
b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
Australia	PP 5943	September 15, 1998	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Albrecht, John W.	Reg. No. <u>40,481</u>	Leonard, Christopher J.	Reg. No. <u>41,940</u>
Ali, M. Jeffer	Reg. No. <u>46,359</u>	Liepa, Mara E.	Reg. No. <u>40,066</u>
Anderson, Gregg I.	Reg. No. <u>28,828</u>	Lindquist, Timothy A.	Reg. No. <u>40,701</u>
Batzli, Brian H.	Reg. No. <u>32,960</u>	Lycke, Lawrence E.	Reg. No. <u>38,540</u>
Beard, John L.	Reg. No. <u>27,612</u>	Mayfield, Denise L.	Reg. No. <u>33,732</u>
Berns, John M.	Reg. No. <u>43,496</u>	McDonald, Daniel W.	Reg. No. <u>32,044</u>
Black, Bruce E.	Reg. No. <u>41,622</u>	McIntyre, Jr., William F.	Reg. No. <u>44,921</u>
Branch, John W.	Reg. No. <u>41,633</u>	Mitchem, M. Todd	Reg. No. <u>40,731</u>
Bremer, Dennis C.	Reg. No. <u>40,528</u>	Mueller, Douglas P.	Reg. No. <u>30,300</u>
Bruess, Steven C.	Reg. No. <u>34,130</u>	Nichols, A. Shane	Reg. No. <u>43,836</u>
Byrne, Linda M.	Reg. No. <u>32,404</u>	Parsons, Nancy J.	Reg. No. <u>40,364</u>
Campbell, Keith	Reg. No. <u>46,597</u>	Pauly, Daniel M.	Reg. No. <u>40,123</u>
Carlson, Alan G.	Reg. No. <u>25,959</u>	Phillips, Bryan K.	Reg. No. <u>46,990</u>
Caspers, Philip P.	Reg. No. <u>33,227</u>	Phillips, John B.	Reg. No. <u>37,206</u>
Chiapetta, James R.	Reg. No. <u>39,634</u>	Prendergast, Paul	Reg. No. <u>46,068</u>
Clifford, John A.	Reg. No. <u>30,247</u>	Pytel, Melissa J.	Reg. No. <u>41,512</u>
Coldren, Richard J.	Reg. No. <u>44,084</u>	Qualey, Terry	Reg. No. <u>25,148</u>
Daignault, Ronald A.	Reg. No. <u>25,968</u>	Reich, John C.	Reg. No. <u>37,703</u>
Datey, Dennis R.	Reg. No. <u>34,994</u>	Reiland, Earl D.	Reg. No. <u>25,767</u>
DeHlish, Leslie E.	Reg. No. <u>40,579</u>	Roberts, Fred	Reg. No. <u>34,707</u>
Dalton, Julie R.	Reg. No. <u>36,414</u>	Samuels, Lisa A.	Reg. No. <u>43,080</u>
DeVries Smith, Katherine M.	Reg. No. <u>42,157</u>	Schmaltz, David G.	Reg. No. <u>39,828</u>
Dipietro, Mark J.	Reg. No. <u>28,707</u>	Schuman, Mark D.	Reg. No. <u>31,197</u>
Edell, Robert T.	Reg. No. <u>20,187</u>	Schumann, Michael D.	Reg. No. <u>30,422</u>
Epp, Ryan, Sandra	Reg. No. <u>39,667</u>	Scull, Timothy B.	Reg. No. <u>42,137</u>
Glance, Robert J.	Reg. No. <u>40,620</u>	Sebald, Gregory A.	Reg. No. <u>33,280</u>
Goggin, Matthew J.	Reg. No. <u>44,125</u>	Skoog, Mark T.	Reg. No. <u>40,178</u>
Golla, Charles E.	Reg. No. <u>26,896</u>	Spellman, Steven J.	Reg. No. <u>45,124</u>
Gorman, Alan G.	Reg. No. <u>38,472</u>	Stoll-DeBell, Kirstin L.	Reg. No. <u>43,164</u>
Gould, John D.	Reg. No. <u>18,223</u>	Sumner, John P.	Reg. No. <u>29,114</u>
Gregson, Richard	Reg. No. <u>41,804</u>	Swenson, Erik G.	Reg. No. <u>45,147</u>
Gressens, John J.	Reg. No. <u>33,112</u>	Tellekson, David K.	Reg. No. <u>32,314</u>
Haarer, Samuel A.	Reg. No. <u>46,754</u>	Trembath, Jon R.	Reg. No. <u>38,344</u>
Haare, Curtis B.	Reg. No. <u>29,165</u>	Tuchman, Ido	Reg. No. <u>45,924</u>
Harrison, Kevin C.	Reg. No. <u>46,759</u>	Tunheim, Marcia A.	Reg. No. <u>42,189</u>
Hertzberg, Brett A.	Reg. No. <u>42,660</u>	Underhill, Albert L.	Reg. No. <u>27,403</u>
Hillson, Randall A.	Reg. No. <u>31,838</u>	Vandenburgh, J. Derek	Reg. No. <u>32,179</u>
Holzer, Jr., Richard J.	Reg. No. <u>42,668</u>	Wahl, John R.	Reg. No. <u>33,044</u>
Johnston, Scott W.	Reg. No. <u>39,721</u>	Weaver, Karrie G.	Reg. No. <u>43,245</u>
Kadievitch, Natalie D.	Reg. No. <u>34,196</u>	Welter, Paul A.	Reg. No. <u>20,890</u>
Karjeker, Shaukat	Reg. No. <u>34,049</u>	Whipps, Brian	Reg. No. <u>43,261</u>
Kettelberger, Denise	Reg. No. <u>33,924</u>	Whitaker, John E.	Reg. No. <u>42,222</u>
Keys, Jeramie J.	Reg. No. <u>42,724</u>	Wickhem, J. Scot	Reg. No. <u>41,376</u>
Knearl, Homer L.	Reg. No. <u>21,197</u>	Williams, Douglas J.	Reg. No. <u>27,054</u>
Kowalchyk, Alan W.	Reg. No. <u>31,535</u>	Withers, James D.	Reg. No. <u>40,376</u>
Kowalchyk, Katherine M.	Reg. No. <u>36,848</u>	Witt, Jonelle	Reg. No. <u>41,980</u>
Lacy, Paul E.	Reg. No. <u>38,946</u>	Wu, Tong	Reg. No. <u>43,361</u>
Larson, James A.	Reg. No. <u>40,443</u>	Xu, Min S.	Reg. No. <u>39,536</u>
Leon, Andrew J.	Reg. No. <u>46,869</u>	Zeuli, Anthony R.	Reg. No. <u>45,255</u>

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2001	2	Full Name Of Inventor	Family Name <u>Manlapig</u>	First Given Name <u>Emmanuel</u>	Second Given Name <u>Salvador Viana</u>
	0	Residence & Citizenship	City <u>Chapel Hill</u>	State or Foreign Country <u>QLD</u>	Country of Citizenship <u>Australia</u> <i>ACK</i>
	1	Mailing Address	Address <u>8 Tucker Street</u>	City <u>Chapel Hill</u>	State & Zip Code/Country <u>QLD 4069 Australia</u>
Signature of Inventor 201: <i>[Signature]</i>					Date: <u>9/05/2001</u>
2001	2	Full Name Of Inventor	Family Name <u>Vargas</u>	First Given Name <u>Alfredo</u>	Second Given Name <u>Percy</u>
		Residence & Citizenship	City <u>La Paz</u>	State or Foreign Country <u>Bolivia</u>	Country of Citizenship <u>Bolivia</u>
		Mailing Address	Address <u>Calle 4A, No. 23 Meseta Achumani</u>	City <u>La Paz</u>	State & Zip Code/Country <u>Bolivia</u>
	Signature of Inventor 202:				Date:

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Minneapolis, MN 55402-0903



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2	Full Name Of Inventor	Family Name Manlapig	First Given Name Emmanuel	Second Given Name Salvador Viana
0	Residence & Citizenship	City Chapel Hill	State or Foreign Country QLD	Country of Citizenship Australia
1	Mailing Address	Address 8 Tucker Street	City Chapel Hill	State & Zip Code/Country QLD 4069 Australia
Signature of Inventor 201:				Date:
20	Full Name Of Inventor	Family Name <u>Vargas</u>	First Given Name <u>Alfredo</u>	Second Given Name <u>Percy</u>
0	Residence & Citizenship	City <u>La Paz</u>	State or Foreign Country Bolivia <u>BOX</u>	Country of Citizenship Bolivia
2	Mailing Address	Address Calle 4A, No. 23 Meseta Achumani	City La Paz	State & Zip Code/Country Bolivia
Signature of Inventor 202: <u>PVargas</u>				Date: <u>May 22 / 01</u>

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COLLECTORLESS FLOTATION

The specification of which

- a. ☐ is attached hereto
b. ☒ was filed on March 13, 2001 as application serial no. _____ and was amended on _____ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. PCT/AU99/00772 filed September 14, 1999 and as amended on _____ (if any), which I have reviewed and for which I solicit a United States patent.

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b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
Australia	PP 5943	September 15, 1998	
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U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

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A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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Goggin, Matthew J.	Reg. No. 44,125	Skoog, Mark T.	Reg. No. 40,178
Golla, Charles E.	Reg. No. 26,896	Spellman, Steven J.	Reg. No. 45,124
Gorman, Alan G.	Reg. No. 38,472	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Gould, John D.	Reg. No. 18,223	Sumner, John P.	Reg. No. 29,114
Gregson, Richard	Reg. No. 41,804	Swenson, Erik G.	Reg. No. 45,147
Gresens, John J.	Reg. No. 33,112	Tellekson, David K.	Reg. No. 32,314
Hamer, Samuel A.	Reg. No. 46,754	Trembath, Jon R.	Reg. No. 38,344
Hamre, Curtis B.	Reg. No. 29,165	Tuchman, Ido	Reg. No. 45,924
Harrison, Kevin C.	Reg. No. 46,759	Tunheim, Marcia A.	Reg. No. 42,189
Hertzberg, Brett A.	Reg. No. 42,660	Underhill, Albert L.	Reg. No. 27,403
Hillson, Randall A.	Reg. No. 31,838	Vandenburgh, J. Derek	Reg. No. 32,179
Holzer, Jr., Richard J.	Reg. No. 42,668	Wahl, John R.	Reg. No. 33,044
Johnston, Scott W.	Reg. No. 39,721	Weaver, Karrie G.	Reg. No. 43,245
Kadievitch, Natalie D.	Reg. No. 34,196	Welter, Paul A.	Reg. No. 20,890
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Kettelberger, Denise	Reg. No. 33,924	Whitaker, John E.	Reg. No. 42,222
Keys, Jeramie J.	Reg. No. 42,724	Wickhem, J. Scot	Reg. No. 41,376
Knearl, Homer L.	Reg. No. 21,197	Williams, Douglas J.	Reg. No. 27,054
Kowalchyk, Alan W.	Reg. No. 31,535	Withers, James D.	Reg. No. 40,376
Kowalchyk, Katherine M.	Reg. No. 36,848	Witt, Jonelle	Reg. No. 41,980
Lacy, Paul E.	Reg. No. 38,946	Wu, Tong	Reg. No. 43,361
Larson, James A.	Reg. No. 40,443	Xu, Min S.	Reg. No. 39,536
Leon, Andrew J.	Reg. No. 46,869	Zeuli, Anthony R.	Reg. No. 45,255

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.